



**IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR**

**BEFORE**

**HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,  
CHIEF JUSTICE**

**&**

**HON'BLE SHRI JUSTICE VINAY SARAF**

**WRIT PETITION No. 29547 of 2024**

***SHAILENDRA VERMA AND OTHERS***

*Versus*

***STATE BAR COUNCIL OF MADHYA PRADESH AND OTHERS***

**&**

**WRIT PETITION No. 23220 of 2024**

***ABHISHEK KUMAR JAIN***

*Versus*

***STATE BAR COUNCIL OF MADHYA PRADESH AND OTHERS***

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**Advocates for the Petitioners:**

*Shri Shashank Shekher - Senior Advocate with Shri Amanulla Usmani Advocate and Shri Bhoopesh Tiwari - Advocate for the Petitioners in WP 29547 of 2024.*

*Shri Greeshm Jain - Advocate for Petitioner in WP No.23220 of 2024.*

**Advocates for the Respondents:**

*Shri Aditya Veer Singh - Advocate for Respondent Bar Council of India.*



*Shri Sanjay K. Agrawal - Senior Advocate with Ms. Sharon Agrawal - Advocate for Respondent No.8 (Smt. Geeta Shukla).*

*Shri K.C. Ghildiyal - Senior Advocate with Ms. Warija Ghildiyal - Advocate for Respondent State Bar Council of Madhya Pradesh*

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***Reserved on : 26.08.2025***

***Pronounced on : 19.12.2025***

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### **JUDGMENT**

***Per: Justice Sanjeev Sachdeva***

1. Petitioners in W.P. No. 29547/2024 are elected members of the State Bar Council and *inter alia* seek setting aside of order dated 31.01.2022, whereby Respondent No. 8 (Smt. Geeta Shukla) was appointed as the Assistant Secretary of the State Bar Council.
2. In W.P. No. 23220/2024, Petitioner an Advocate *inter alia* seeks setting aside/quashing of the resolution of the State Bar Council dated 09.07.2024, whereby Respondent No. 3 (Smt. Geeta Shukla) was appointed to the post of Secretary of the State Bar Council.
3. Though there are other incidental prayers in the petitions, however arguments by all were confined to the prayers seeking quashing of the appointment of Smt. Geeta Shukla as the Assistant Secretary and then to the post of Secretary.
4. As per the Petitioners, Smt. Geeta Shukla has been granted out of turn promotion on 31.01.2022 from the post of Lower Divisional



Clerk (hereinafter referred to as LDC) to the post of Additional Secretary of the Bar Council by giving her an acceleration of six posts without there being any provision of out of turn promotion in the Rules of the State Bar Council and later on 09.07.2022 given further out of turn promotion and appointed to the post of Secretary. After filing of the petitions on 25.08.2024 she has been reverted to the post of Additional Secretary subject to the outcome of the Petitions.

5. As per the Petitioners the promotion of the employees is to be done by the General Body of the Bar Council on the recommendation of the Executive Committee and on merit cum seniority basis. The Executive Committee has to conduct a suitability test every two years to assess their knowledge and skill.

6. It is contended by the Petitioners that applications were invited from advocates for appointment to the post of Assistant Secretary. Several advocates applied. Smt. Geeta Shukla also applied and stated that she had experience of practice of 08 years. Test was conducted on 01.03.2019. Smt. Geeta Shukla secured '0' mark in drafting Writ Petition, '2' marks in drafting letter in English and '3' marks in drafting letter in English. i.e. total of '5' marks as against '40' marks secured by the top candidate. She ranked 12th.

7. No appointment was done on the basis of the said Examination. However, by order dated 31.01.2022, the Chairman of the Madhya Pradesh State Bar Council promoted Smt. Geeta Shukla, who was then an LDC, to the post of Assistant Secretary of the State Bar



Council. Subsequently, the General Body of the State Bar Council in its meeting held on 07.07.2024, accepted the representation of Smt. Geeta Shukla, that the post of Secretary was vacant and she had been discharging the duties of the Secretary being the Assistant Secretary and be promoted to the post of Secretary of the State Bar Council. She was thus promoted to the post of Secretary of the State Bar Council. It is informed that after filing of the Writ Petitions, said decision has been kept in abeyance pending the outcome of these Petitions.

8. Relevant Rules of the Madhya Pradesh State Bar Council Rules (hereinafter referred to as the General Rules) are as under:

- “22. Powers to appoint members of the staff etc. – The Executive Committee shall have the power to appoint, promote, punish and discharge or dismiss any employee of the State Bar Council except the Secretary in the manner prescribed under the rules made by the State Bar Council in that behalf.*
- 23. Control over the staff.– The Executive Committee shall exercise full control over all the employees of the State Bar Council and shall determine all questions relating to the eligibility of promotion, gratuity, provident fund, pensions and all other questions relating to their employment as prescribed under the rules made by the State Bar Council in that behalf with prior approval of the Bar Council.”*

9. As per Rule 22 and 23 of the General Rules the Executive Committee is empowered to appoint, promote, punish and discharge any Employee of the State Bar Council except the Secretary in the manner prescribed under the Rules made by the State Bar Council. The Executive Committee exercises full control over all employees and is empowered to determine all questions relating to the eligibility



of promotion etc. and all other questions relating to their employment as prescribed under the Rules made by the State Bar Council.

10. The State Bar Council made the State Bar Council Of Madhya Pradesh: Jabalpur- Employees Service Rules (hereinafter referred to as the Service Rules).

11. Rule 7 of the Service Rules reads as under:

*“7.- Appointments*

*a.) Executive Committee of the Council will be empowered to appoint all category of employees except the Secretary, No appointment so made by the Executive Committee shall be made directly on regular roll of the Council until and unless such a person has satisfactorily served the Council for a period of two years.*

*However, no person shall be appointed on permanent roll unless he / she has served as a temporary / contractual employee. Further any employee so appointed shall be made permanent by General Body on the recommendations of Executive Body.*

*An employee other than permanent shall be paid a fixed remuneration as fixed by the Executive Body but which shall not be more than the pay of a permanent employee of the same cadre*

*7(b). Accountant, if any, shall be required to furnish a security bond for an amount of Rs. 25000/- (Rupees Twenty five thousand) before they are appointed as such on the staff of the Council.*

*Provided that Executive Committee may increase the security bond amount from time to time as per the circumstances which it deems fit and proper”.*

12. As per Rule 7 of the Service Rules the Executive Committee is empowered to appoint all categories of Employees except the Secretary. Further that no appointment shall be made on the regular roll of the Council unless a person has served as an employee for a



period of two years. Further that no person shall be appointed on the permanent roll unless he has served as a temporary/contractual employee of the Council and he shall be made permanent on the recommendations of the Executive Committee only by the General Body.

13. Rule 8 of the Service Rules reads as under:

*“8. Procedure for Appointment, Promotion and Re-Employment*

*Appointment: Appointment of members of staff could be direct or through promotion. However, unless a person is qualified for the post, shall neither be appointment nor be promoted.*

*Promotion - The promotion shall be done by General Body on the recommendation of Executive Body.*

*Promotion shall be made on merit cum seniority basis.”*

14. As per Rule 8 of the Service Rules, appointment of the Staff could be direct or through promotion. However no promotion or appointment can be made unless the person is qualified. The promotion is to be done by the General Body on the recommendation of the Executive Body. Promotion is to be made on merit cum seniority.

15. Rule 9 of the Service Rules under the heading General Rules prescribed for a Suitability Test under sub rule (g) and reads: “ *The Executive Committee of the council preferably after every two years shall hold a suitability test of the employees of the Council so as to assess their knowledge, experience and to improve their working skills and administration of the Bar Council.*”



16. The Qualification for appointment to the post of Secretary prescribed by the General Rules are as under:

“QUALIFICATIONS AND CONDITIONS OF SERVICE OF THE STIPENDIARY SECRETARY, ACCOUNTANT AND OTHER MEMBERS OF THE STAFF

(1) The Secretary of the Bar Council shall on the date of Appointment:

- (a) Have obtained a degree in law of a University in India.
- (b) Have been an Advocate of less than five years standing.”

17. For being appointed to the post of Secretary, the person should have obtained a degree in law from a university in India and should have been an advocate for a period of five years.

18. Though the contention of the Petitioners is that Smt. Geeta Shukla was in full time employment when she had enrolled in a law course and thus she could not have been enrolled as an advocate, however there is no challenge to her enrollment as an advocate in either of the petitions. It is not in dispute that she enrolled as an Advocate in the year 2011 and was employed in the State Bar Council in 2013. Even if it is assumed that she was legally enrolled and practiced as an Advocate, her standing as an Advocate would be for only two years.

19. The hierarchy of the posts of employees in the State Bar Council are as under:

STRUCTURE OF PAY SCALE OF PERMANENT EMPLOYEES OF STATE BAR COUNCIL OF MP	
DESIGNATION	PAY SCALE (in Rs)



Secretary	12000+400+18000+450+20000
Assistant Secretary	8000-275-10500-13500 10000-300-18000
Superintendent	6500-200-10500
Accountant	5500-175-9000
Steno	5500-175-9000
Accountant Trust	5000-150-8000
U.D.C. Gr. I	5000-150-8000
U.D.C	4000-100-6000
L.D.C	3050-75-3950-80-4590
Daftari	2610-60-3150-65-3540
Peon	2550-55-2660-60-3200
Chowkidar	2550-55-2660-60-3200
Sweeper	2550-55-2660-60-3200

20. Smt. Geeta Shukla was employed on the post of LDC when she was directly promoted to the post of Assistant Secretary. As noticed above, between the post of LDC and Assistant Secretary there are several posts which draw a higher pay scale than a LDC i.e. UDC, UDC Grade 1, Accountant Trust, Steno, Accountant and Superintendent.

21. The Contention on behalf of the State Bar Council and Smt. Geeta Shukla is that unlike the post of Secretary, there is no qualification prescribed by the rules for the post of Assistant





Secretary and as such she could have been promoted to the post of Assistant Secretary.

22. Clearly Assistant Secretary is not a promotional post for the post of LDC. Smt. Geeta Shukla thus could not have been directly promoted to the post of LDC. There are two modes prescribed for appointment promotion and direct recruitment.

23. For the purposes of direct recruitment, an advertisement was issued by the State Bar Council on 25.01.2019 calling for applications for the post of Assistant Secretary.

24. Said advertisement reads as under:

"मध्यप्रदेश राज्य अधिवक्ता परिषद सहायक सचिव पद हेतु इच्छुक उम्मीदवारों से दिनांक 28.02.2019 तक आवेदन पत्र आमंत्रित करती है।

#### शर्तें

भारत का नागरिक हो व किसी भी भारत की राज्य अधिवक्ता परिषद से अधिवक्ता के रूप में नामंकित हो व उसे हिंदी, अंग्रेजी का समुचित । ज्ञान हो व कम्प्यूटर में भी दक्षता हो। किसी भी अधिवक्ता संघ में अधिवक्ता के रूप में 5 वर्ष का विधि व्यवसाय का अनुभव हो। उसकी उम्र विज्ञापन दिनांक को 35 वर्ष से कम 45 वर्ष से अधिक न हो। ऐसे इच्छुक उम्मीदवार राज्य अधिवक्ता 'परिषद के सचिव के नाम अपने प्रमाण पत्रों के साथ जो स्वयं के द्वारा प्रमाणित ही आवेदन पेश करें। आवेदन वैध पाये जाने पर मध्यप्रदेश राज्य अधिवक्ता परिषद द्वारा निर्धारित लिखित व मौखिक परीक्षा हेतु अपने भूज दस्तावेजों के साथ उपस्थित होजा होगा, जिसका कोई व्यय परिषद द्वारा देय नहीं होगा। चयनित उम्मीदवार की नियुक्ति दो वर्ष की परीवीक्षा अवधि में होगी। उसका वेतनमान 15600-39100+5400 होगा एवं समय समय पर वेतन वृद्धि व



अन्य । भते राज्य अधिवक्ता परिषद के नियमानुसार प्राप्त होंगे। राज्य अधिवक्ता परिषद द्वारा उक्त चयन प्रक्रिया में लिया गया निर्णय अंतिम व निश्चायक होगा।“

25. Said advertisement prescribed that the applicant should be enrolled as an advocate and should have practiced as an advocate for a period of 5 years. Additionally it stipulated that a written and an oral test would be conducted.

26. Though Smt. Geeta Shukla did not have the requisite 5 year practice experience, she applied for the post stating that she had 8 years' experience as an Advocate. She also took the written examination. Smt. Geeta Shukla secured '0' mark in drafting Writ Petition, '2' marks in drafting letter in English and '3' marks in drafting letter in English. i.e. total of '5' marks as against '40' marks secured by the top candidate. She ranked 12<sup>th</sup>. For an unspecified reason the recruitment process was abandoned and no one was appointed to the said post. Subsequently, by an order dated 20.01.2022, the Chairman of the State Bar Council appointed Smt. Geeta Shukla, who was an LDC, as the Acting Secretary of the State Bar Council. Subsequently in a meeting held on 30.01.2022, the General Body of the State Bar Council appointed Smt. Geeta Shukla as the Assistant Secretary with effect from 01.02. 2022 directly by way of promotion from the post of LDC by jumping six higher posts.

27. The resolution dated 30.01.2022, granting her promotion to the post of Assistant Secretary, reads as under:



“(2) श्रीमती गीता शुक्ला ने परिषद में विषम परिस्थितियों में दिनांक 20/12/2021 को कार्यकारी सचिव का पदभार ग्रहण किया। क्योंकि श्री मुईन खान ने सामान्य सभा बुलाने के अध्यक्ष महोदय के स्पष्ट आदेश की घोर अवहेलना की, और आदेश नहीं निकाला तथा छुट्टी लेकर चले गये, और दिनांक 20/12/2021 को कार्यालय भी नहीं आये। श्रीमती गीता शुक्ला ने इस कार्यकाल में बेहद अच्छी तरह अपने पद के कर्तव्यों का निर्वहन किया है। वे एम-कॉम एल-एल.बी. तक शिक्षित हैं एवं वकालत कर चुकी हैं, एकाउंट के कार्य में निपुण हैं एवं कर्मचारियों पर उनका कन्ट्रोल तथा व्यवहार सराहनीय है। इन परिस्थितियों में श्रीमती गीता शुक्ला निम्न श्रेणी लिपिक को मेरिट बेसिस पर परिषद में सहायक सचिव के पद पर आउट ऑफ टर्न पे बैंड 15600-39100+5400 सातवें वेतनमान के अनुसार फिक्स बैंड 561.00 में पदोन्नत किया जाता है। उक्त पदोन्नति दिनांक 01.02.2022 से प्रभावशील होगी। वे कार्यकारी सचिव के प्रभार में रहेगी।”

28. The resolution records that Smt. Geeta Shukla had assumed the charge of the Acting Secretary on 20.12.2021 in special circumstances as the Secretary Shri Moin Khan defied the orders of the Chairman and did not call the general body meeting and took leave and did not attend office since 20.12.2021. The resolution further records that Smt. Geeta Shukla has very efficiently performed the duties of her office. She is a law graduate and has also practiced as an Advocate, is efficient in accounts, has good control over employees and has commendable behaviour. The resolution records that Smt. Geeta Shukla, LDC is granted out of turn promotion based on her merit to the post of Assistant Secretary. She would continue to discharge the duties of the post of Acting Secretary.



29. Said resolution and her so called out of turn promotion is clearly unsustainable. Though Smt. Geeta Shukla is a law graduate and enrolled with the State Bar Council, however she has not practiced as an Advocate for a period of 5 years. No doubt the rules do not prescribe 5 year experience as an advocate but the advertisement issued by the State Bar Council stipulated such a period. She admittedly does not possess the qualification. Further, the resolution states that she is given out of turn promotion based on her merit. A jump of six posts is not sustainable even for an exceptionally meritorious candidate. Smt. Geeta Shukla cannot be called as highly meritorious keeping in view the abysmally low marks obtained by her when she had taken the examination for the post of Assistant Secretary in the year 2019. Thus, her out of turn promotion from LDC to Assistant Secretary is not sustainable. Not only is she given out of turn promotion jumping over six posts, she has been discharging the function of Acting Secretary since 20.12.2021. No efforts have been made by the State Bar Council to fill up the posts in accordance with the rules.

30. While performing the duties as the Acting Secretary, Smt. Geeta Shukla gave an application for being appointed to the post of Secretary. Said application was placed before the Executive Committee and on 07.07.2024, the following resolution was passed:

“1. श्रीमती गीता शुक्ला सहायक/कार्यकारी सचिव के आवेदन पर विचारोपरांत निर्णय लिया गया कि परिषद में वर्तमान में सूचिव पद रिक्त है, एवं श्रीमती गीता शुक्ला, सहायक सचिव के पद पर रहते हुये



सचिव के पद का कार्यभार कार्यकारी सचिव के रूप में विगत ढाई वर्षों से संतोष जनक कार्य कर रही है एवं सचिव पद हेतु निर्धारित योग्यता भी रखती है। अतः श्रीमती गीता शुक्ला को बहुमत की सहमति उपरांत सचिव पद पर वेतनमान 15600-39100 ग्रेड-पे 7600 के अंतर्गत बेसिक पे 79900 में फिक्स करते हुये दिनांक 01 जुलाई 2024 से पदोन्नत किया जाता है।

2. कार्यकारिणी समिति के प्रस्ताव क्र. 6 (2)/का.का./2024 दिनांक 11.02.2024 की अनुशंसा उपरांत श्री अशरफ अली को उ.श्रे. लिपिक ग्रेड-1 के पद पर पदोन्नत करते हुये वेतनमान 9300-34800 ग्रेड पे-3200 के अंतर्गत बेसिक पे 32800 में फिक्स करते हुये दिनांक 01.07.2024 से प्रदान किये जाने की स्वीकृति दी जाती है।

3. मध्यप्रदेश राज्य अधिवक्ता परिषद कार्यालय में कार्यरत उच्च श्रेणी लिपिक श्री राहुल तिवारी को दिनांक 07.04.2019 को सहायक लेखापाल के पद पर प्रस्ताव क्र. 14 एवं 15/का. का./2019 पारित कर नियुक्त किया गया था एवं आगामी सामान्य सभा की बैठक में पुष्टीकरण हेतु निर्देशित किया गया था। उक्त प्रस्ताव पर विचारोपरांत बहुमत के आधार पर पुष्टीकरण किया जाता है। श्री राहुल तिवारी को कार्यकारिणी समिति की बैठक दिनांक 07. 04.2019 में पारित प्रस्ताव क्र. 15/का.का./2019 के अनुसार सहायक लेखापाल के पद पर पदोन्नत करते हुये वेतनमान 5200-20200 ग्रेड पे-2800 के अंतर्गत बेसिक पे 28700 में फिक्स करते हुये दिनांक 01.07.2024 से प्रदान किये जाने की स्वीकृति दी जाती है।”

31. The resolution of the Executive Committee, qua Smt. Geeta Shukla, records that post of Secretary is vacant and Smt. Geeta Shukla, being an Assistant Secretary has been satisfactorily performing the duties of Acting Secretary and possesses the requisite qualifications and as such is appointed on the post of Secretary.



32. Since the resolution appointing Smt. Geeta Shukla as the Secretary was challenged before this court in the subject W.P. (c) 23330 of 2024, the General Body noted that Smt. Geeta Shukla, being an Assistant Secretary, was as it is performing the duties of Acting Secretary, so it was decided to keep the decision appointing her as the Secretary in abeyance subject to the outcome of the said petition. The resolution records as under:

“पद क्रमांक 1 प्रस्ताव क्र. 31/जी.बी./2024:-

मध्यप्रदेश राज्य अधिवक्ता परिषद की सामान्य सभा की बैठक दिनांक 07.07.2024 के मिनिट्स के पुष्टीकरण के संबंध में विचार किया। जिसके तहत श्रीमति गीता शुक्ला को पदोन्नति कर सचिव पद पर नियुक्त किया गया था, उक्त सचिव पद की नियुक्ति को माननीय उच्च न्यायालय में याचिका क्र. डब्लू पी 23220/2024 में चुनौती दी गयी है, जो कि लंबित है। इस संबंध में माननीय कोषाध्यक्ष श्री मनीष तिवारी द्वारा नोटशीट दी गई, जिसका अवलोकन किया गया इसलिये श्रीमति गीता शुक्ला पूर्व की तरह कार्यकारी सचिव के पद पर कार्यरत् रहेगी एवं उनकी सचिव के पद पर नियुक्ति माननीय उच्च न्यायालय के अंतिम निर्णय के अधीन रहेगी।

साथ ही दिनांक 07.07.2024 की सामान्य सभा की बैठक में पारित प्रस्ताव क्र. 14/जी. बी./2024 से इंदौर भवन में स्थित कक्ष क्र. 77 के संबंध में पारित निर्णय को आगामी सामान्य सभा की बैठक में पुष्टीकरण हेतु रखा जावे।

उपरोक्तानुसार सामान्य सभा की बैठक दिनांक 07.07.2024 के मीनिट्स का सर्वसम्मति से पुष्टीकरण किया गया।“

33. In the present case, there is no recommendation of the Executive Committee, recommending the appointment of Smt. Geeta Shukla as the Assistant Secretary as required by Rules 22 and 23 of



the General Rules and Rule 7 of the Service Rules. She was appointed by the Chairman as the Acting Secretary on his own and then given the out of turn promotion to the post of Assistant Secretary from the post of LDC by the General Body. Thereafter she is given an appointment to the Post of Secretary without possessing the requisite qualification and without conduct of any selection process.

34. The Chairman is stated to have exercised powers under Rule 109 of the General Rules to appoint Smt. Geeta Shukla as the Acting Secretary. Rules 109 of the General Rules reads: “109. *Save as otherwise provided in the Act or in the Rules made under the Act, the Chairman shall exercise a general control and supervision over all matters of the Bar Council.*”

35. Power of general control and supervision granted to the Chairman does not empower him to ignore the mandate of the General Rules and the Service Rules framed by the Bar Council.

36. Section 11 of the Advocates Act, 1961 reads as under:

“11. Staff of Bar Council.— (1) Every Bar Council shall appoint a secretary and may appoint an accountant and such number of other persons on its staff as it may deem necessary.

(2) The secretary and the accountant, if any, shall possess such qualifications as may be prescribed.”

37. Section 11 of the Advocates Act mandates the State Bar Council to appoint *inter alia* a secretary and the secretary must possess the qualification as may be prescribed. There is no merit in the contention of the Respondents that Smt. Geeta Shukla was



appointed as the Acting Secretary as no one in the office was willing to take up the responsibility of the post of Secretary. If that were the position, the State Bar Council should have taken immediate steps for appointing a qualified Secretary for the State Bar Council and not permitted a non-qualified person to continue as the Acting Secretary for a period of four years.

38. The mandate to appoint a Secretary has been issued by the Act for the reason that the State Bar Council is a Statutory Body and the Secretary of the State Bar Council has to perform several statutory functions under the Advocates Act, the General Rules framed by the State Bar Council and Part III of the Bar Council of India Rules. The Secretary of the State Bar Council is also a member and/or ex-officio secretary of various Statutory Committees. The Secretary of the State Bar Council has to *inter alia* draw up Decreeal Orders in respect of orders made by the Disciplinary Proceedings, where costs are awarded; take steps to prepare and publish electoral rolls for the purposes of the election of the State Bar Council besides performing several other statutory duties.

39. The post of Secretary being an important post, qualification for appointment to the said post has been prescribed by the Rules and same being mandatory have to be satisfied before anyone can be appointed. Clearly, the State Bar Council has promoted Smt. Geeta Shukla to the post of Assistant Secretary and then appointed her to the post of Secretary in violation of various provisions of the Advocates Act, 1961, the Madhya Pradesh State Bar Council Rules, State Bar





Council of Madhya Pradesh: Jabalpur- Employees Service Rules and also the Bar Council of India Rules.

40. In view of the above, the Writ Petitions are allowed and disposed of in the following terms:

- (i) Orders of the State Bar Council dated 31.01.2022 and 09.07.2024 are set aside; and
- (ii) The promotion of Smt. Geeta Shukla as the Assistant Secretary and her further appointment to the post of Secretary of the State Bar Council is quashed. She shall be reverted to her substantially appointed post of LDC; and
- (iii) The State Bar Council of Madhya Pradesh shall take immediate steps for appointment of a Secretary of the State Bar Council in accordance with the Rules and the prescribed qualifications and complete the process of appointment within a period of two months from today; and
- (iv) The State Bar Council of Madhya Pradesh shall also take immediate steps for appointment of an Assistant Secretary for the State Bar Council. The appointment shall be in accordance with the rules and as per the qualifications prescribed by the advertisement issued on 25.01.2019 and complete the process of appointment within a period of two months from today; and



- (v) During the interregnum period of two months, the State Bar Council shall appoint a duly qualified person as an Ad-hoc Secretary to perform the duties of an Acting Secretary.

41. Petitions are disposed of in the above terms. There shall be no orders as to costs.

**(SANJEEV SACHDEVA)**  
**CHIEF JUSTICE**

**(VINAY SARAF)**  
**JUDGE**